

**REMARKS**

Claims 1-25 are pending. By this response, claims 1, 6, 11, and 16 are amended and claim 25 is added. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

**Embodiments of the Invention**

In embodiments of the present invention data is acquired using a digital camera. The image data has attached thereto data associated with where the image was captured. This image data is loaded onto a personal computer. The image data is then forwarded by a user to a server which performs calculations to determine the location of the images for use in managing the image data. The user is identified by a user ID, the user ID has corresponding thereto a particular location which indicates the predefined location of the user. The server uses this information along with location data of the image to determine a distance between the photography location and the user location. This distance is used to classify the image. The classified image is placed in an appropriate album according to the classification.

Prior Art Rejection

Kahn et al.

The Office Action rejects claims 1, 6, 11 and 16 under 35 USC 102(e) as being anticipated by Kahn et al. (USP 2004/0004663). This rejection is respectfully traversed.

Kahn teaches a system in which image data acquired is transmitted to a PDA, phone or computer. Kahn uses GPS data to determine the location of each image. Kahn's system performs determination of the user location and association of the information with the image at the camera itself. See paragraphs 58 and 59. The host 320 (computer/PDA, etc.) can perform the tracking of the GPS information and storage of this data associated with the image. The data is then provided to the server 330. The server merely acts to place the image in a particular category related to the location information attached thereto.

Kahn does not teach identifying a user in which a predetermined reference position corresponds to the user ID. Further, Kahn fails to teach, performing at the server a calculation of distance between the photographing location and image data and the predetermined reference position based on the location data. Kahn's server merely organizes the images received. A calculation to determine the photographing location is not performed. Further, Kahn uses GPS information which is associated with the image at the camera

or host. No calculation occurs in Kahn's teachings to obtain a photographing location of a particular image.

Therefore, Kahn fails to teach, *inter alia*, loading image data into a personal computer, forwarding image data from a user terminal of the personal computer to a generation support server, a user at the user terminal being identified by a user ID, a predetermined reference position corresponds to the user ID, the generation support server performing the steps of: calculating...judging...classifying the image data...and generating the album data, as recited in claims 1 and 6.

Further, Kahn fails to teach loading image data into a personal computer, obtaining image data from a user terminal of the personal computer and providing the image to a generation support server, the user at the user terminal being identified by a user ID, a predetermined preference position corresponds to the user ID, the program performing with the generation support server, the steps of: calculating...judging...classifying the image data and generating the album data, as recited in claims 11 and 16.

Therefore, in view of the above, applicants respectfully submit that Kahn fails to teach all features of independent claim 1, 6, 11 and 16 as required. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Loui et al. and Wilcock et al.

The Office Action rejects claims 1, 3-5, 6, 8, 10, 11, 13, 15, 16, 18, 20 and 21-24 under 35 USC 103(a) as being unpatentable over Loui et al. (USP 6,636,648) in view of Narayanaswami et al. (USP 6,504,571) in view of Wilcock et al. (USP 6,741,864) and claims 2, 7, 9, 12, 14, 17 and 19 under 35 USC 103(a) as being unpatentable over Loui, Narayanaswami, Wilcock and Kino et al. (USP 6,832,101). These rejections are respectfully traversed.

Applicants hereby incorporate arguments with respect to Loui, Wilcock, Narayanaswami and Kino in the response dated March 15, 2006.

Loui discloses an algorithm for creating an album by classifying images based on a distance between the predetermined reference position and the photographing location of the captured image. In Loui's system, all image data is forwarded or provided to a single computer. Images are processed at the computer itself. The images are not loaded onto a computer and then forwarded to a server for processing and calculating the photographic location of the image. Further, Loui's system does not rely upon a user ID which corresponds to a predetermined reference position which is necessarily used in the calculation performed at the server.

Therefore, Loui's system does not teach or suggest, *inter alia*, loading image data into a personal computer, forwarding image data from a user terminal of the personal computer to a generation support server, a user at the user terminal being identified by a user ID, a predetermined reference position

corresponds to the user ID, the generation support server performing the steps of: calculating...judging...classifying the image data...and generating the album data, as recited in claims 1 and 6.

Further, Loui fails to teach loading image data into a personal computer, obtaining image data from a user terminal of the personal computer and providing the image to a generation support server, the user at the user terminal being identified by a user ID, a predetermined preference position corresponds to the user ID, the program performing with the generation support server, the steps of: calculating...judging...classifying the image data and generating the album data, as recited in claims 11 and 16.

Further, Narayanaswami and Wilcock providing image data to a server from a personal computer in which the calculation of a photographing location and the processing of the images is performed at the server. Narayanaswami discloses a system in which images captured by a camera are organized within the camera itself or by a separate computer. Geographic boundary data is used to determine the location of the images and the images can then be organized based on the data within the camera or within the computer. Narayanaswami, however, does not teach or suggest obtaining images at a computer along with a predetermined location data corresponding to a user ID and forwarding the images and data to a server in which a calculation is performed to obtain a photographic location of the images and processing of the images at the server

itself. Therefore, Narayanaswami fails to teach the above noted features of independent claims 1, 6, 11 and 16.

Wilcock teaches a system in which photos taken by a camera are stamped with a location data. The location data and photos are downloaded onto a computer. The computer performs an organization of the images based on the time stamp and location data associated with the images. As with Loui and Narayanaswami discussed above, Wilcock also teaches downloading images to a personal computer in which the personal computer itself performs management and organization of the images based on the processing of location information for the images. Wilcock does not teach or suggest downloading images to the personal computer, obtaining predetermined location information corresponding to the user ID input by a user and providing this information to a server in which calculation of the photographing location of the image and the organization of the image is performed at the server.

Further, Kino is provided to teach aspects of the dependent claims. Thus, Kino fails to make up for the deficiencies of Loui, Narayanaswami and Wilcock.

In view of the above, applicants respectfully submit that the combination of Loui, Narayanaswami and Wilcock fail to teach the features of independent claims 1, 6, 11 and 16 as required. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Conclusion

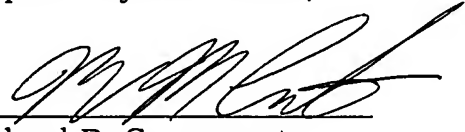
For at least these reasons, it is respectfully submitted that claims 1-25 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: October 18, 2006

Respectfully submitted,

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